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ABSTRACT

This case study documents reform policies and practices for handling juveniles, and the development of complete monitoring of child welfare and juvenile facilities. Due to the work of citizen and child advocacy groups, ways have been developed in Pennsylvania to determine whether state and federal laws regarding institutionalized children are being violated. Major sections focus on recent Pennsylvania juvenile justice legislation, statewide organizations, and monitoring and enforcing of state legislation. The appendix includes sample forms used by the Pennsylvania juvenile courts, youth information sheets and statistical reports.
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DEVELOPING, MONITORING, AND ENFORCING JUVENILE JUSTICE LEGISLATION

A Case Study of Pennsylvania

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
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The Office of Juvenile Justice and Delinquency Prevention
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FOREWORD

It is well recognized that detention or incarceration of most troubled youth, especially non-criminal children such as status offenders or dependent and neglected children, is unnecessary and costly. The Congress, led by Senator Birch Bayh (D.-Indiana), targeted deinstitutionalization of youth and the prevention of delinquency as the themes of the Juvenile Justice and Delinquency Prevention Act of 1974. As Administrator of the Office of Juvenile Justice and Delinquency Prevention, I have encouraged states to assess and revise their welfare, juvenile, and criminal codes as a vital step towards achieving these goals.

This case study documents the struggle in Pennsylvania to reform policies and practices for handling juveniles, and to develop a complete monitoring of child welfare and juvenile facilities. Pennsylvania's system evolved from the hard work of many groups which formed an informal network of citizen and child advocates. The work of groups, such as the Juvenile Justice Center of Pennsylvania, will go a long way toward ensuring the state's compliance with the law. Pennsylvania now has ways to determine, for the first time, whether state and federal laws regarding children in institutions are being violated. Such progress will help assure a more humane and just juvenile justice system.

Similar legislative reform is pending in other jurisdictions. I believe this document will facilitate those involved in this change. It should also serve to stimulate the analysis of issues and concerns in other communities.

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Written by Joseph H. Baird.

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NOTE

During the publication process the position of the Pennsylvania Department of Public Welfare has changed. The proposed regulations have not been issued to date because of severe disagreement over what constitutes a "community based facility". Additionally, legislation has been introduced which would amend Act 148 to allow court operated programs to be funded on a regular basis.

INTRODUCTION

In recent years, increased public attention and concern has focused on the problem of youth in correctional institutions. Both delinquents and status offenders (juveniles who have committed offenses which would not be considered illegal if perpetrated by an adult) are placed in facilities which do little to "rehabilitate" them and in fact, contribute to their further alienation from society. Heightened governmental and community recognition of this fact in the last decade has resulted in movements toward systemic change to remediate this condition.

The Federal Juvenile Justice and Delinquency Prevention Act of 1974 constitutes the single most important step in this direction to date. It requires that states that receive federal juvenile justice funds (1) remove all status offenders from secure detention, (2) separate all juveniles from adults in correctional institutions, and (3) submit annual monitoring reports to the Office of Juvenile Justice and Delinquency Prevention documenting the state's progress in these areas.

Both in an effort to facilitate compliance with these requirements and a shared philosophical commitment to the concepts behind them, a number of states have subsequently passed their own corresponding legislation. One such state is the Commonwealth of Pennsylvania. In July of 1977 and 1978, the state legislature passed acts which have set the foundation for a juvenile justice system that prohibits the use of secure detention for status offenders and completely separates juveniles from adults in correctional institutions.

In addition, Pennsylvania, primarily through the Department of Public Welfare (DPW), has developed and promulgated guidelines to ensure its capability to monitor facilities responsible for youthful offenders. The purpose of this monitoring is to bring the facilities into compliance with the legislation and enforce the legislation in those instances where a facility is found to be in violation. Although still in its early stages, present conditions suggest that this monitoring and enforcement system will be an exemplary one which could be emulated by other states with success.

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SECTION I: OVERVIEW OF RECENT JUVENILE JUSTICE LEGISLATION IN PENNSYLVANIA

The Setting

The demography and geography of Pennsylvania is such that problems that arise in operating a juvenile justice system on a day-to-day basis are typical of those experienced in other states. The state has significant portions of its population in each of the three basic demographic categories; urban, suburban and rural. The breakdown within these categories is:

Central City	29%
Suburban	51%
Rural	20%. ¹

The state government is active and large in both the legislative and administrative branches. The state level takes the lead in establishing statewide policy and programs on most matters, but

actual service delivery is accomplished largely through the sixty-seven county governments. This is especially true in the social service and law enforcement fields, making the county level of government particularly important for a juvenile justice program to achieve "real" rather than "paper" success. Most youth welfare and juvenile justice programs are either administered directly by the county governments or services are delivered by private organizations under county contract. The state then reimburses the county for a certain percentage of these costs. In the past, the standard state reimbursement for most child welfare related services (including juvenile justice) has been about 50% of costs to the county.

Pennsylvania's Mental Health and Mental Retardation Act of 1966 involved the counties with social service delivery on a large scale. This trend has since continued. Sixty to seventy percent of the county budgets are devoted to delivery of human services, including such items as child welfare, mental health and mental retardation, and drug and alcohol treatment programs.

The Pennsylvania judicial system is based at the county level. Adult and juvenile courts and jails are funded almost entirely by the county, providing a degree of fiscal autonomy from the state. The juvenile court system, however, obtains substantial state funds through direct grants to juvenile court operation from the State Juvenile Court Judges Commission (about 14% of costs) and via state reimbursement for juvenile treatment and detention.² Because of the county based system, county officials handling child dependency and delinquency problems have a great deal of latitude when considering possible treatment alternatives.

A unique item in the Pennsylvania juvenile justice milieu is the large number of private facilities that provide residential treatment for children (both dependent and delinquent). In fact, the state system is limited to the operation of just delinquency facilities. At present, there are nine of these with an approximate total of 2100 admissions per year.³ In addition, there are

eleven private delinquency facilities that handle about 900 more admissions per year.⁴ Dependency facilities are provided solely by the private sector and county welfare agencies. Including dependent children, 6000 youth per year are treated statewide in institutional care.⁵

Legislation

Prior to 1972, Pennsylvania's juvenile justice legislation had remained essentially unchanged since the revision of the State Code in 1933. The Pennsylvania Juvenile Justice Act of 1972 (Act 333) was passed in response to the Supreme Court's "Gault" decision, guaranteeing juveniles the right to due process protection. Among the issues with which Act 333 dealt was the limitation of a child's prehearing time to ten days and a "downgrading" of most status offenses.* In order to secure passage of Act 333 in the legislature, "Habitual disobedience" was left to court discretion while all other status offenses were designated dependent.

Act 333 provides the counties with three basic options for residential treatment:

1. They can be labeled deprived (dependent) and be served through Child Welfare monies (Public Welfare Code) which reimburse counties for up to 60% of cost for care. These same funds are used to reimburse the counties for 50% of the cost of detaining delinquent children.
2. They can be labeled delinquent and served through Juvenile Court Act funds which reimburse counties for 50% of costs.

*In Pennsylvania a child may be designated by the court as either dependent or delinquent; prior to 1977, status offenses could be adjudicated either dependent or delinquent based on judicial discretion.

3. They can be labeled delinquent and be placed in Youth Development Centers or Youth Forestry Camps, which are funded 100% by state appropriation and require no contribution by the county.⁶

Pennsylvania's 1977 State Plan submitted to LEAA characterized this system as one which encouraged the use of state institutions, heightened the importance of court labeling on service delivery, and did not necessarily provide funds for informal adjustment and preventive treatment. Act 333 could have served as a basis from which to achieve compliance with the Federal Juvenile Justice and Delinquency Prevention Act through administrative revision. However, this might have resulted in a long and difficult regulatory struggle that would have drawn considerable opposition. Instead, the process of obtaining compliance has been facilitated by the passage of two subsequent state acts altering juvenile justice and service delivery in Pennsylvania: Act 148 and Act 41.

Act 148

Act 148 passed the legislature in July of 1976 and significantly reorganized the state's youth services funding channels. The Act merged two sums of juvenile monies in the State Department of Public Welfare budget, the Child Welfare monies (Protective Services, Child Abuse, etc.) and the Juvenile Court funds provided under Act 333.

The combined funds were then distributed according to a new reimbursement schedule. Whereas the old schedule offered roughly a 50% reimbursement across the board on most services (except the 100% funding of state delinquency institutions), Act 148 set up a new schedule designed to achieve certain policy objectives through a "stick and carrot" fiscal approach. The new reimbursement rates are:

- Community based services -- 75% (the minimum allowed by the legislation);
- Actual costs of public or private facilities -- 50%; and
- Start up costs of approved new services can be defrayed up to 90% by state block grants (if such money is available).

These provisions have encouraged the use of community based facilities, keeping the child closer to home and familiar surroundings. While the Act itself was not extremely controversial, the associated regulations of December 31, 1977, published by the Department of Public Welfare, have created a storm of protest from several sources. The regulations mandate extensive changes in the existing juvenile justice system. These will be discussed in a subsequent section.

Act 41

Amendments to the 1972 Pennsylvania Juvenile Justice Act became law on August 3, 1977 as Act 41. The amendments increased Pennsylvania's chances for achieving compliance with the 1974 Federal Act. The major provisions of this act were:

- The removal of all juveniles from jails by December 31, 1979.
- Juveniles kept in jails must be separated from adults housed in that facility and the facility must be approved by the Department of Public Welfare prior to the activation of the jail ban provision, and
- "Habitual disobedience" can no longer be adjudicated as delinquency, thus removing all "status offenses" from the delinquency category.

The sections of this act addressing handling of status offenders and separation of juveniles from adults in jails is in direct accord with Section 224(a)12 and 13 of the Federal Juvenile

Justice and Delinquency Prevention Act. Though controversial, Act 41 provided a direct legislative mandate through which proper implementation would enable Pennsylvania to continue to receive federal juvenile justice funds.

SECTION II: INTERESTED ORGANIZATIONS AND THEIR POSITIONS

These laws and the related administrative regulations have generated controversy in Pennsylvania. There was considerable opposition to Act 148 on the part of some juvenile court judges, private sector organizations, and public agencies. The two sets of regulations promulgated pursuant to this law have resulted in stormy protests. Act 41 has been the object of even greater controversy. The organizations and facilities that have been adversely affected by the way deinstitutionalization and separation is being implemented are putting up serious opposition, which ultimately can threaten the establishment of the system in Pennsylvania. Many of the positions taken by these organizations are similar to the concerns voiced by analogous groups in other states. The accommodations and compromises reached with these groups can be critical to the final form of the juvenile justice system. Understanding their needs and goals can facilitate the whole process of

achieving deinstitutionalization of the status offender and separation of delinquents from incarcerated adults.

The ultimate goal in this policy arena is the establishment of the best possible system of child care and delinquency prevention at the lowest possible cost, utilizing available funds. The basic conflicts involve differing approaches to the same problem. The various "political actors" have their own views shaped by parochial concerns and their individual organizational contexts.

The Department of Public Welfare

The Department of Public Welfare's (DPW) role in the process is essentially fiscal. Policy is operationalized by regulations based on legislation and is implemented largely through financial incentives. Within the constraints of the legislation, the Department enjoys wide latitude in designing regulations. In the case of Acts 148 and 41, DPW's Division of Youth Services has taken the opportunity to push for a very "progressive" program. The Department has a genuine philosophical commitment to the policies it is advocating through these regulations. It has the advantage of advocating a policy that is being encouraged by the Office of Juvenile Justice and Delinquency Prevention, which has laid down federal guidelines and backed these with monetary rewards. However, though the funds available for Pennsylvania through OJJDP are significant, they are not at a level such that the state must take advantage of them. This gives the state some latitude. On the other hand, because of Pennsylvania's recent monetary problems, it is not likely to pass up these federal funds. Thus, DPW would like to bring Pennsylvania into compliance with the federal guidelines to help finance their youth programs. In attempting to do so, DPW is hampered not only by the groups being adversely affected by DPW policy, but also by the legislature which seems to possess skepticism about large, expensive "soft" social service agencies. The specific stands the Depart-

ment has taken on the various controversial points will be discussed along with the concerns of the people who have been affected by these policies.

Juvenile Courts

As a group, the juvenile court judges represent an influential and articulate body of persons who are substantially affected by the changes taking place in the Pennsylvania juvenile justice system. While there is no single person who can speak for all the judges, there are two statewide organizations that provide opinion leadership and a degree of judicial consensus on most juvenile court issues. These are the Juvenile Court Judges Commission and the Juvenile Section of the Pennsylvania Trial Judges Association.

The organization that most closely represents a judicial consensus on juvenile matters probably is the Juvenile Court Judges Commission. The Commission was established in 1959 by state legislation to provide standards of court conduct and to make recommendations for the improvement of the juvenile court system. It consists of nine juvenile court judges from throughout the state nominated by the chief justice of the state Supreme Court and appointed by the governor. The Juvenile Section of the Pennsylvania Trial Association is a professional association of juvenile court judges. It serves as an important sounding board of judicial opinion and lobbied against Act 41.

Although there were some individual judges vocally opposed to Act 148, in general judicial reaction to Act 148 was limited to a few Juvenile Court Judges Commission suggestions for minor changes in funding levels. Basically the judges agreed with the concepts expressed in the Act. The courts support the deinstitutionalization of status offenders as long as reasonable alternative treatment is made available, and Act 148 apparently aided the creation of these alternatives. Because of this, most judges worked cooperatively for Act 148.

However, a conflict arose on December 31, 1977 when the first set of regulations pursuant to Act 148 was published. The regulations provided, among other things, that the DPW (state) reimbursement will not be available for court supported services such as informal adjustment and probation services. There existed a philosophical difference between the Department of Public Welfare and the courts. DPW held that the court's primary function is its constitutional one as a judicial body and that the court should not be in the business of providing social services. There is concern in DPW that two parallel systems of youth service will ultimately result in duplication of services and wasted time and funds. The court's position was that this reflects an inadequate understanding of the juvenile court process and of the role that probation services play.

In the early days of juvenile justice, the "in parens Patria" concept existed, but there was little in the way of services and treatment to carry out this ideal. The courts developed their own programs where none had previously existed. These programs eventually became the present court probation services in Pennsylvania. The courts point out that Act 333 provides for informal adjustment at initial contact with the juvenile justice system. The judges are not opposed to the funding provisions of Act 148, only the administrative regulations that remove the courts from funding channels. Additionally, many judges would prefer to see all funding levels raised equally, giving them greater freedom of choice. The courts note that probation officers are generally better educated and more intimately acquainted with juvenile justice problems than child welfare workers. Courts handle 41% of all cases without formal court action, and provide many functions traditionally defined as "treatment;" yet many of these services were not reimbursable under the proposed regulations. Many juvenile court judges think that this practice is counterproductive and unfair. In response to judicial reaction to the regulations, DPW has agreed to "grandfather" (i.e., pay for) programs which were established by the courts prior to December 31, 1977. DPW will not be paying for court officials in these programs, such as

officers, but will pay for group and foster home programs previously established in a number of counties.

The Juvenile Court Judges Commission is "working systematically" to alter the regulations and, if necessary, they may seek to amend Act 148. Finally, if nothing else succeeds, the legality of the regulations will be tested in the courts.

Some of the most vocal opposition to Act 41 came from the juvenile courts. Much of this emanated from the Juvenile Section of the Pennsylvania Trial Judges Association in concert with the Juvenile Court Judges Commission. There was not, however, a consensus of state juvenile judges on Act 41. Some of the most powerful and vocal judges in the state worked actively against the bill, while many others remained silent. Presumably those judges who were actively involved had the tacit approval of many more who were silent. The opposition of these judges effectively blocked passage of the bill in the Senate. Only energetic lobbying, good press, skillful bill management and good fortune enabled Act 41 to clear the Senate. In time, many judges came to agree with major provisions of the bill, but this does not mitigate the concerns raised about certain parts of it. These concerns are of particular interest since similar judicial opposition may exist in other states.

The courts generally support the ideas of deinstitutionalizing status offenders and community based treatment, but caution that these ends will be difficult to implement effectively. Many judges think that removing the status offender from the courts can have beneficial effects, but only if adequate treatment is provided. Many professionals in the court services believe that these services are currently unavailable. They fear that these youth will be getting treatment on paper, but that fewer effective services will actually be provided. Historically, it has been difficult to provide services and treatment to status offenders. Many harbor strong anti-authoritarian feelings, which can add to discipline and management problems. These cases will now be re-

ferred to county child welfare services whose workers do not have great experience in handling the cases. Some child welfare workers are reluctant to deal with this type of case. Probation service professionals indicate that it may be several years before effective treatment is available for the status offender at child welfare agencies.

Judicial opponents of Act 41 point out that often only the least serious offense is brought to court. If children are adjudicated as status offenders under Act 333 and referred to child welfare service agencies, they may be treated by persons not properly equipped to handle this type of case. From this unsatisfactory beginning, treatment problems are more likely to surface, leading to a petition of incorrigibility being filed by the social worker. This will actually be increasing the importance of negative labeling and elevating the seriousness of the charge.

Evidence that might indicate this type of problem was presented in the wake of the 1972 Act. The passage of Act 333 removed most status offenses from juvenile court. This should have reduced the number of court referrals, because the number of status offenders has remained relatively constant since the juvenile population in Pennsylvania reached its peak in 1971.⁷ Contrary to expectations, the number of court referrals has not decreased. There was a temporary drop in 1973, but since then the number of status offenders has returned to 1972 levels. The Juvenile Court Judges Commission believes that the status offender provision of Act 333 escalated the charges against individual children, raising them from merely "truant" or "runaway" to "incorrigible." The implication is that the status offender provision of Act 41 might result in having children previously considered "incorrigible" now becoming "delinquent" because of a labeling process. Most juvenile judges will agree that Act 148 does more to divert all juveniles from the juvenile justice system than does Act 41.

To date, the judges have not really been heard on the House side of the Pennsylvania legislature. However, because some judges harbor negative feelings toward the administrative regulations of

Act 148, remedies may be sought. There is the possibility that amendments may be drafted to meet judicial objections, particularly with regard to the regulations.

The County Government

The counties play a major part in the delivery of social services in Pennsylvania. They are powerful, relatively autonomous governmental units; but they depend heavily on state reimbursements and are accountable to tight fiscal constraints. In general, the counties do not have a great deal of input into program planning, but must be very concerned with the costs of any proposed program. Their major policy input, then, is often that of fiscal constraint. The county governments must be concerned with funding, spending levels, control of funds, and funding sources. County governments cannot easily appropriate local funds for juvenile justice programs because property taxes are allocated largely for education, and county income taxes have remained very unpopular.

The organization speaking for the counties in Pennsylvania is the Pennsylvania Association of County Commissioners. The Association is eighty years old and represents the concerns of the Commissioners, the elected officials at the county level.

Although Act 148 was a funding bill intended to lighten the burden of the counties by increasing reimbursement rates for most types of services, the County Association had some problems with it. There was concern that although increased monies were made available for community based programs, many counties lacked the resources and expertise to take full advantage of this provision. Where adequate community based facilities were not in existence, start up costs and program design problems could make the 75% reimbursement level superfluous since it might be too difficult to initiate these services. This problem was lessened by providing a 90% state reimbursement for new program start up costs. This addition made Act 148 quite satisfactory to the county govern-

ments. However, the subsequent realization that these funds have been and may continue to be severely limited has since caused some disenchantment on the part of the counties.

Act 41, on the other hand, was immediately recognized as having potential for severe negative repercussions for the individual counties. Removing the juveniles from jails could cause some expensive operational problems. The main concerns voiced by the counties included the need to ensure that alternatives to incarceration would be available, and that an adequate transition period would be established before the no-jailing provision became effective. The first concern was met directly by including \$1.5 million in the Act to fund the construction of detention centers. The transition period was allowed for by extending the use of jails until December 31, 1979. In the meantime, DPW agreed to issue stringent regulations concerning the conditions under which juveniles could be housed until the deadline. By allowing for these county needs, the legislators backing the bill substantially increased its chance of becoming law.

Act 148 was not perceived as a problem for the counties when it was passed, but the regulations issued on December 31, 1977 for this bill created some difficulties. The County Association had a concept of what the act was to accomplish that differed from that held by the DPW. The counties thought there was enough flexibility to allow for the use of either child welfare or probation services for youth treatment. DPW issued regulations that prevented this by omitting court run services from the reimbursement schedule. The County Association wanted to base the rate of reimbursement on the type of services provided rather than on the service provided. Because of these regulations, DPW has run head-on into the expressed needs of the county governments.

A requirement of Act 148, the Annual County Services Plan, was designed to bring tighter financial accountability to the county providing services. These plans are a budget breakdown of county juvenile services that must be submitted to DPW. Although plans were received from all counties, the quality of individual reports

varied markedly. It is hoped that all plans can be brought to acceptable levels, and that it will not be necessary to terminate reimbursement to any county.

The County Association has two principal grievances with the way the state plan system has been established: the lack of coordination of county plans at the state level (DPW) and the timing of the annual submission deadline. The problem of coordination raises the spectre of counties not being fully reimbursed for services they have rendered according to their "approved" plan. Since DPW has a relatively fixed sum of money to distribute, and is not monitoring the total cost of the county plans submitted, it is possible that counties will provide more services on a state-wide basis than there is money for reimbursement. The counties thought that DPW would monitor total costs and limit county plans. Accordingly, they are not pleased by the prospect of receiving less than their full statutory compensation; this has to some extent eroded DPW's credibility.

The problem of the timing deadline is relatively simple, but annoying. The DPW deadline for submitting county plans precedes the date on which county budgets are due. Accordingly, the county plans only approximate the actual amount that will be spent in each category. While DPW has been flexible in recognizing that the plans are based on tentative budgets, this problem could easily have been avoided by setting the plan deadline several days after the deadline for county budgets finalization.

Another action which may cause the county governments some difficulty is the merging of the Act 41 DPW funds for the construction of detention centers with the federal funds provided by the Governor's Justice Commission. While this creates a single, large sum of money from which to build juvenile detention centers, it also means that centers built with these funds must meet State Planning Agency requirements, including the federal correctional facility construction standards established by the National Clearinghouse for Criminal Justice Planning and Architecture.

An individual county's reaction to changes in the juvenile justice system of the type being examined in this document will vary with the individual characteristics of each county. It will vary with regard to the degree to which a specific county's juvenile justice program is run by the court or the commissioners. Unless the commissioners of any given county take a personal interest in juvenile justice affairs, the court, probation and child welfare agencies will, by default, be given wide latitude in operating the system. Since these people have the expertise in such matters, commissioners will tend to defer to their judgment. Thus, the philosophical and programmatic attitudes voiced by any individual county may vary. It also means, not surprisingly, that the quality of implementation of Acts 148 and 41 will be different, depending on local attitudes.

Another concern shared by the county commissioners is that the counties will have to become involved with self-policing their juvenile justice system to ensure that their courts are adhering to DPW standards. If, for some reason, the county is out of compliance (committing children improperly, etc.), then the county will not be reimbursed for these cases. In order to prevent this from occurring, the counties are forced into self-monitoring to guarantee the receipt of state reimbursements. This is not a task the county governments want.

The County Commissioners Association has been a fairly cohesive unit in dealing with issues raised by Acts 148 and 41. This was true despite the demographic and cultural differences presented by the counties in Pennsylvania. Naturally, however, there were some differences in the focus of concern between rural and urban counties. The urban counties have to deal with juvenile problems on a larger scale and were greatly concerned about providing adequate bedspace and the cost of these facilities. The rural counties were more interested in reimbursement arrangements for transportation costs to and from regional detention centers. Curiously, the counties without juvenile detention centers felt less threatened by the no-jailing provision of Act 41 than those counties with centers already in existence. Counties without detention

facilities knew that, because the only secure detention available is the county jails and lock-ups, they can not reasonably be expected to comply until adequate alternatives are in place. Counties that already have the detention centers are now going to be forced to handle the problems of operating a detention center without using jails for overflow and punishment.

Youth Advocacy and the Lobby Fight

Lobbying and the press were key elements in the legislative fight for Act 41. The Juvenile Justice Coalition of church, women's and civic groups, organized by the Juvenile Justice Center of Pennsylvania, was instrumental in providing grass roots support and pressure for the bill. By organizing these groups and bringing the debate to the press, pro-Act 41 forces generated impressive support, while the opposition came under fire. The press painted a picture of senators and judges working to keep young people in jail and to prevent millions of dollars in federal funds from reaching Pennsylvania. This occurred during a period of fiscal crisis in the state, at a time when the public was particularly aware of matters of state finance. The lobbying directed by supporters of the bill in the legislature and the Juvenile Justice Center proved to be a potent weapon, of which similar organizations should take note. The victory was impressive in the face of a possible shift in the political climate that might have viewed such programs as "coddling young criminals."

Pennsylvania Council Voluntary Child Care Agencies

The Pennsylvania Council of Voluntary Child Care Agencies (PCVCCA) is the collective voice for the approximately eighty private child care facilities in Pennsylvania. The PCVCCA has been cooperative in establishing the monitoring system and generally supported Acts 48 and 41. However, the private child care facilities think that county records should be the focus for monitoring, rather than individual facilities. The county governments both make the referral decision and directly receive the state reimbursement.

Because the state does the monitoring, this puts the private facilities in the position of being subject to referral at one level and monitoring at another. They think that monitoring of county records might be more appropriate; but this is not a major point of contention as has been demonstrated by the PCVCCA cooperation with DPW and the Governor's Justice Commission in putting the monitoring systems in place.

Although Acts 148 and 41 did not have a large direct impact on private facilities, the regulations, particularly those for Act 41, have had tremendous effect on the individual institution. The most difficult regulations for the private agencies to handle are those pertaining to the separation of delinquent and dependent children.

The originally proposed regulations not yet promulgated, lay out strict definitions for what constitutes a "community based residential care facility" versus a "facility based residential care facility." Under the proposed regulations "community based facility" must house children reasonably near their family and afford the child the same degree of access to the community as other children. Consequently, essentially all a "community based facility" can provide is food, shelter and social service staff. The facility cannot provide any more "treatment" for a child than he would receive at home -- although the child may take advantage of any available community service. This precludes extra reimbursement for all treatments including group counseling. The size of group homes (which are automatically considered community based) is being set at a maximum of eight beds, with larger facilities having to meet the strict "community based" definition guidelines; otherwise they are considered to be "facility based."

An agency which is "facility based" must contend with two important problems; the reimbursement rate for a county utilizing it will continue to be 50% (versus 75% for "community based") and more significantly, it must be "exclusively" (under the proposed regulations) either a delinquency facility or a dependency fa-

cility. Currently, dependency facilities may hold up to 50% delinquent children, whereas under the proposed regulations only a "community based facility" may admit delinquents with dependents, and then only 25% of the population of a "community based facility" may be delinquent. This will not be a major problem for most existing dependency facilities most of which now hold approximately 5-10% delinquent. On the other hand, seven or eight larger facilities which are currently in compliance with existing state laws (permitting up to 50% delinquent population in a dependency facility) will be in significant violation.

The system being proposed by these regulations has drawn the criticism of the private agencies for a number of reasons. If a delinquent is viewed as a child in need rather than a criminal, some agencies have said, then there is not a legitimate reason for treating delinquents and dependents differently -- except in the case of the violent delinquent. Under the existing system, a continuum of services is provided ranging from secure residential facilities to home treatment. A classification given the youth by the juvenile court is not as important as whether or not the child's needs can best be met within the family or in a facility. If there is a need for such residential care, then treatment should be provided on the basis of need, not labeling. The PCVCCA holds that "exclusivity" regulations are regressive because they heighten the importance of negative labels -- which can exert a very negative effect on the child. This is an opinion shared by others in the juvenile justice system, particularly the courts. The new regulations may tend to create greater isolation for children classified as delinquent. Because of these sentiments and the significant impact of these regulations, the opposition to them has been sharp and continuous. Promulgation of these regulations will very likely result in a court test of the new regulations brought about by private sector agencies.

SECTION III: MONITORING THE LEGISLATION

Juvenile Justice Monitoring Prior to Act 148

Prior to 1976 (at which time, the state needed to collect complete data for the annual monitoring reports required by the Juvenile Justice and Delinquency Prevention Act), juvenile offender record keeping was the responsibility of several agencies with differing objectives.

"The four major sources used to gather such information were:

1. Juvenile Court Statistical Card, which provides detailed information on youth referred for court disposition.
2. Department of Public Welfare Annual Detention Report, which provides a county by county breakdown of youth held and place of detention; and Department of Public Welfare Youth Services

and Child Welfare Institution Reports, which provide annual summaries of youth in public and private institutions.

3. Bureau of Corrections County Jail Statistical Report, providing limited information on youth detained or placed in county jails.
4. Uniform Crime Report of the Pennsylvania State Police, which provides summary information on arrests and police disposition of cases."⁸

Because of the great variety of information being collected, the different ways in which it is being collected, and the diversity of organizations collecting it, the data derived from these reports is not compatible. None of these sources was capable of generating complete data required by OJJDP for the Bayh Act baseline; however, the Juvenile Court Statistical Card System and the Department of Public Welfare data were quite useful.

The Court Card System is operated by the Pennsylvania State Juvenile Court Judges Commission. Among the responsibilities of this body is the oversight and analysis of data generated by the Juvenile Court Card. A card is filled out by the county probation department for each child appearing in court (see page 45 for a sample statistical card). This card gives background data, including court case disposition and demographic information. The "old" Court Card (in existence at the time of the first baseline study) was the HEW Juvenile Court Statistical Card format and was inadequate for providing the type of information required by OJJDP. The system was (and is) basically a good one, since it tracked the individual child as he/she progressed through the system. However, it tracked only those children charged with delinquency. Thus, the inherent flaw in the system (from the larger juvenile welfare systemic perspective) was that it did not pick up the large number of nonadjudicated commitments of status offenders and children in need. The system provided good information on juvenile delinquents, but was limited by the format of the original Juvenile Court Card. In addition, the fact that

the data was collected only once a year reduced its value as a monitoring and enforcement system. Despite these deficiencies, the Court Card has been a good method for recording and tracking adjudicated children.

The DPW system of data collection prior to the first monitoring report for OJJDP consisted of the collection and analysis of the year end statistical reports submitted by the public and private child care facilities and detention centers. These reports are facility-service oriented and do not record the progress and location of the individual child in the system. This procedure was inadequate for two principal reasons; it was not updated frequently enough to act as an effective monitoring and enforcement measure, and it could not track individual children. Neither system could provide the necessary information by itself, and it was not possible to combine the two data sources.

The Intermediate System

Although installation of a complete monitoring system in Pennsylvania will not be finished for some time, the state must still meet ongoing requirements of OJJDP annual monitoring reports. Therefore, the new system will be established in stages, and at present, portions of the "exemplary" final system already are in operation. Pennsylvania is working towards its final system by starting with existing information collection processes and systematically altering and increasing their functions. This is proving to be a very practical approach.

The sheer size of the state's population generates a correspondingly large juvenile problem, making the mechanics of monitoring a massive task. The process is further complicated by the existing structure of residential youth care (both delinquent and dependent). Large institutions holding substantial numbers of children are unusual in Pennsylvania; instead, a myriad of residential child care facilities, public and private, have come into exis-

tence. The large number of private sector facilities makes the process of monitoring more difficult because administrative fragmentation arises in a system that includes state, county and private facility child care. Adding another complexity, jails used in a number of counties to hold juveniles must also be included in the monitoring process. The job was enormous. The mechanism chosen for the task was DPW's annual licensing inspection.

The DPW has the responsibility of licensing and approving all facilities in Pennsylvania that house juveniles. This is true of all public and private institutions including private residential care facilities and jails with juvenile facilities. This responsibility is now met by an annual on-site inspection of each facility. Inspections were designed to ensure that health, service, labor, and building code regulations were properly followed. Because DPW has a mandated legal authority for these annual inspections, this was seen as a convenient mechanism by which on-site review of records could take place. It was hoped that these first inspection/monitoring visits would provide a basis from which to develop a more permanent monitoring system as well as gather base data.

DPW's original inspection system utilizing four regional offices was retained even with the addition of the monitoring function. Inspection teams went into the facilities, examined each for traditional licensing criteria, and collected data from facility files. The teams generally consisted of DPW staff and professionals in the child care field except where a Pennsylvania program designed to "open up" the inspection process was being tested, as in the southeast region. There, and in other parts of the state, teams included trained citizen volunteers, child care professionals (non-DPW), and state government child care officials. This program corresponds with OJJDP proposals of a similar nature, but was derived independently. The results of this type of inspection have been very promising in Pennsylvania.

Pennsylvania's Proposed Monitoring System

The system which Pennsylvania hopes to install permanently to monitor juvenile justice system will involve two different "agencies" and three different methods of data collection. The DPW hopes to have two information systems: a complete statewide system of on-site annual monitoring/inspection visits, and a computerized tracking system.

The on-site monitoring/inspection system will be a statewide (the original monitoring for OJJDP did not cover all the counties in the state) program involving professional/citizen inspection teams similar to those used to collect the OJJDP data. All facilities will be inspected at least once a year and files must be open and available to the teams. Inspection teams will examine facilities for compliance with all regulations and make a general evaluation of operations. These teams will consist of:

- 1/3 professionals in the field, not associated with DPW,
- 1/3 private citizens with specialized training in inspection procedures, and
- 1/3 professionals from or contracted by the regulatory agency.⁹

The private citizens will be an integral part of the actual inspection operation including the production of the final facility report. This direct system of on-site inspection and monitoring will reach full implementation relatively quickly, since it is already in service in parts of the state.

The second part of the DPW monitoring will be the key element in establishing a tracking program that keeps an up-to-date record of changes in the status of children in the system. By use of "Fact" and "Activity" sheets logged into a central computer, current information can then be derived quickly and easily regarding the status of Pennsylvania's juvenile delinquency and dependency population in residential treatment.

When a new child is admitted to a facility (public or private), the facility will fill out a "Fact Sheet" which will be sent to DPW and entered into the computer records (see page 47 for a sample Fact Sheet). The Fact Sheet contains fairly complete demographic and offense information. If, during any week, the child experiences a change in status (injury, runaway, etc.) of any type, an "Activity Sheet" (see page 48 for a sample Activity Sheet) is completed and sent to DPW to be added to the automated records. A child's conclusion of treatment at the institution will be similarly logged. The actual format of these records can only be as good as the information included and the way in which it is categorized. The result is a computerized system that can provide almost any type of information regarding facilities or individuals that would be needed under normal circumstances.

Court Card System

Outside of DPW, a proposal has been made by the Juvenile Court Judges Commission to establish another type of monitoring system. Utilizing the Juvenile Court Card Statistical System and Juvenile Court Inspection Program, the Commission plans to build a system that traces the individual child's status in the juvenile justice system. The Commission's tracking system will be based on the court card system described earlier with two notable improvements. The card itself has been revised to provide more information in a better format (see page 45 for a sample Court Card). "The information available under the new card provides a complete breakdown on pre and post disposition of youth by type of offense (criminal, status, deprived) and reports the exact number of detention days by place of detention."¹⁰ The second improvement that will be instituted is the collection of the card data semi-annually or even quarterly, making monitoring and enforcement a greater reality. The data would be collected as a part of the Juvenile Court Judges Commission's field inspection of the county juvenile courts. Field inspections usually consist of two Commission consultants entering a court for two to three days while they talk

with the judges and probation officers, examine records, and in general ensure that each court is adhering to the juvenile justice laws and the standards for juvenile court operation established by the Commission.

Both the Juvenile Court Card and Court Inspection processes have proved to be a successful means of examining court conduct on an annual basis. Even the Court Card System utilizing the old court card proved to be fairly effective, being hampered largely by the card's poor layout. A Governor's Bureau of Management Services study of the Court Card System found reporting errors to be less than 1%, but that policy and coding problems occurred due to the card format.¹¹ This would seem to indicate that at least recording problems should not be a major difficulty encountered in an expanded version of the Court Card System.

Establishing a system of three or six month court inspection/data collection visits to monitor juvenile courts depends on obtaining the necessary funds. Two full-time Commission staff would probably be sufficient to handle this task in Pennsylvania with its sixty-seven counties.

The facilities that will be covered by these three tracking systems in their final form will be public and private delinquency and dependency facilities as well as the system of regional detention centers being set up to remove all juveniles from jails by the legislative deadline of January 1, 1980. The final tracking system will not include jails since the practice of jailing youth even for detention should have ceased by that time. Achieving this goal has involved a number of different institutions and program mechanisms, one of which was a series of "regional workshops" given throughout the state.

These regional workshops were one of the early moves to further the causes of "separate facilities" and the deinstitutionalization of status offenders through the education of county officials about program objectives and implementation. These workshops took

place in October 1976. They were co-sponsored by the Pennsylvania Joint Council on the Criminal Justice System, the Pennsylvania Association of County Commissioners, and the Department of Public Welfare. The sessions were held in each of the eight Governor's Justice Commission Regions. All the conferences followed a similar format covering the following information:

1. Discussion of the 1974 Juvenile Justice and Delinquency Prevention Act and its implementation in Pennsylvania; specifically the status offender and separate facility requirements.
2. Discussion of funding priorities, funds available, program guidelines and application procedures.
3. Cognitive presentations by program experts in afternoon workshop sessions, to provide local communities with technical assistance in program planning and implementation. Leaders for these sessions will be persons who have operated or sponsored successful program alternatives for status offenders or detention.¹²

The workshops were well attended and participants indicated that they were valuable in providing an introduction to program goals and for providing technical assistance.

Moving Toward the DPW Inspection System

This process is most likely to be the first fully operational monitoring system in Pennsylvania; it is already in place, to a large extent but needs further improvements and expansion, particularly with regard to the inclusion of private citizens on the inspection teams. Since the basic mechanism of on-site annual inspection had previously existed, the addition of the monitoring task did not require drastic changes. Gathering the type of data required by OJJDP has not posed significant difficulties. The only real change was the inclusion of private citizens, but this

was not being done solely for monitoring purposes. In fact, citizen participation on the inspection teams was a Southeastern Pennsylvania program even before the teams were assigned to collecting data. However, OJJDP base data collection and funding provided impetus for expanding this program.

The purpose of using private citizens on the inspection teams was to "open up" the monitoring process and the institutions. Professionals in the field indicate that institutional abuse is directly related to the degree to which such facilities are hidden from public scrutiny. If authorities at institutions know they are being observed closely, they are likely to take the task of self-policing more seriously. In addition, the building of personal relationships in the course of business which may interfere with the objectivity of the regulatory process may be reduced. The potential for objectivity will be even further increased in the future by including people who do not reside in the DPW inspection region.

Most of the initial work with citizen involvement in Pennsylvania was done in the southeastern region where private citizens have been participating in the inspection process to varying extents for several years. There, the Juvenile Justice Center of Pennsylvania, a nonprofit organization, has actively recruited and trained citizen volunteers for the monitoring teams. The system developed in this region has served as a model for the DPW's statewide system.

Recruiting volunteers on a statewide basis has been effected through the Juvenile Justice Coalition organized by the Juvenile Justice Center. The Coalition is a statewide organization consisting of over eighty religious, civic and community groups that have been active in juvenile justice.¹³ It was this group that helped generate the public concern and publicity which was of great assistance in getting the recent Pennsylvania juvenile justice statutes passed.

Private citizens have been recruited either by or from the Juvenile Justice Coalition for the volunteer inspection/monitoring work. Before the actual on-site monitoring took place, the following training procedures were followed:

- A. Volunteers were given refresher training in the juvenile justice system, orientation in the specific objectives of their assignment, and training in on-site deportment to insure that their presence would not produce tension in the county facilities to which they were assigned.
- B. A fifty page Juvenile Justice Center Training booklet, containing copies of the Juvenile Justice Act, Welfare Regulations, articles regarding status offenders, and other pertinent information to the project was compiled by the Juvenile Justice Center and distributed to each volunteer.
- C. Training by Juvenile Justice Center staff consisted of regional workshops which included reviewing the definition of terms, the juvenile process, instructions in obtaining and recording data (stressing confidentiality and procedures to overcome staff resistance), legal reasons for detention in Pennsylvania (section 12 of Act 333), intake and admissions policies throughout the state, purpose of the Juvenile Justice and Delinquency Prevention Act, and the legislative and philosophical intent in Pennsylvania's Juvenile Justice Law.
- D. Upon the completion of their two or three-day assignment, each volunteer was contacted to obtain their objective and subjective evaluation of the project. At this time guidance was given by Juvenile Justice Center staff in explaining future participation and courses of action available to citizens to develop solutions to local conditions and problems discovered by them in their participation in this project.¹⁴

The use of citizens on the inspection teams generally has been viewed as successful. The Juvenile Justice Center believes their presence on the teams both reduced tensions between the monitoring team and those being monitored, and lessened the need for expensive professional staff. In addition, it is the local volunteers who provide the principal impetus, at the community level, for implementation of needed reforms identified during the inspection process. The Pennsylvania experience with professional/citizen teams has been a positive one, providing good information at a lower cost, and with direct private citizen input.

The DPW Computer System

Unlike the inspection/monitoring systems, the computer tracking process is a new program. All state facilities were included by June of 1977. This process uses the "Fact" and "Activity" sheets described earlier. Procedure for implementing this system has been a straight forward, step-by-step process.

The state-operated delinquency institutions were the first facilities for which the system was utilized. There are nine of these facilities that log approximately 2,100 admissions a year. This has allowed the process to be tested on a relatively small scale before it is expanded to encompass all facilities and children (both delinquents and dependents) who come in contact with them. The Governor's Justice Commission (SPA) has provided the funds to establish this computer system and has been closely involved with DPW in putting it on line. This ensures that the system is generating the type of information the State Planning Agency needs for federal reporting. Upon completion, this automated process will provide information on the current status of each individual child in residential care and incarceration, and this information will be stored in such a way that it will be available for detailed statistical analysis. In addition, DPW is presently in the process of developing a county based tracking system which will have the capability to track all youth for which it is responsible. This system will provide some information relevant to the monitoring process.

Juvenile Court Card System

It is difficult to catalogue the progress that has been made in expanding the Court Card Process into an ongoing monitoring system since, at present, it is only a proposal. Setting up this system (as discussed above) will involve the merging and expansion of two existing Juvenile Court Judges Commission functions: court card data collection and court inspection procedures. Logistically, this system will require minimal effort to implement, and expansion is only a matter of additional funds, which may be obtained from the JJDP Act through the SPA. The major question concerning development of this system is what function will this process serve relative to the DPW tracking system, since there will be an overlap in the information that is gathered. This duplication of data will increase as Pennsylvania makes greater progress toward guaranteeing "due process" rights to juveniles.

In the past a child could be placed in a residential dependency facility at the request of the parent, if the parent claimed that the child was ungovernable. This was an unfortunately convenient procedure, and correspondingly, the number of nonadjudicated children committed to treatment facilities was staggering (approximately 40%). DPW is now requiring that any child placed out of his or her home must have a court hearing, and consequently a lawyer of record. This has two effects: it provides better assurances that each child will receive "due process" rights and assures that every child committed to a residential facility will have appeared in court. As a result, every child in an institution will be in the Juvenile Court Card System. Nonadjudicated children have not in the past shown up on this system. The Court Card System can now become a viable tracking tool that picks up all children in facilities across the state. In addition, the Juvenile Court Judges Commission is currently in the process of developing a second card which will track court handling of dependency cases. This card should be in use by January 1, 1979.

How this duplication of Juvenile Court Judges Commission and DPW efforts will be resolved, or even whether it will be viewed as a problem, can have important effects on the total monitoring enforcement effort. The delineation of responsibilities can have a decided effect on the final form the system takes. A possible solution being considered is for DPW to monitor only dependent children, while the Juvenile Court Judges Commission would handle those adjudicated delinquent. This overlap may at some point require a clear specification of responsibility.

Monitoring Process for Jails

While there have been no juveniles in Pennsylvania state prisons since 1975, the use of county jails for holding and in some cases for temporary commitment of juveniles has continued. Very often this is the result of a lack of alternatives to the county jail; but in recent years detention centers have been built and increasingly used. Obstacles remain that may prevent the state from meeting the December 1979 deadline established by Act 41 for separate facilities, but if alternatives (detention centers) are physically in existence throughout the state by that time, it would appear that Pennsylvania will achieve its legislated goal.

By statute, the problem of separate facilities for juveniles in Pennsylvania should not exist, even before passage of Act 41. The State Code, which dates back to the 1930's, prevents the jailing of children under 16, and requires separation of older youths from adult offenders, placed a five day limit on the length of time a juvenile may be kept in jail. This "progressive" law has not been enforced, however, probably because of a lack of alternative facilities, and because of the lack of adequate monitoring to detect violations. At the writing of the 1977 Pennsylvania State Plan, only twenty-four of the sixty-seven counties had separate juvenile detention facilities available, and certainly there has been no systematic process by which anyone has kept track of juveniles in county jails. The major problem in either case has been a simple lack of resources to do the job.

Funds were brought to this problem in Act 41 by the provision of \$1.5 million of state money for the construction of regional detention centers. Another \$.7 million is available for this purpose from the State Planning Agency. This should reduce (and hopefully eliminate) the need to use jails for juveniles. The addition of these funds to the legislation greatly aided its passage by dealing with the major concern the counties had with Act 41.

The first step in achieving the goal of "separation" was assuring funds would be available to create alternatives to jailing. Another important consideration was the inclusion of a transition period before the total jailing ban went into effect. This gives the county governments the needed time to develop alternatives and/or construct detention centers and generally prepare for the implementation of the policy.

The monitoring of the juveniles held in jails during this transition period will be accomplished by DPW, based on their "Child Abuse Hotline." This hotline is already operating but under a different DPW program. The hotline is a statewide toll free phone number staffed twenty-four hours a day, seven days a week. This system will require county jails to call immediately upon admitting a juvenile. Basic information regarding personal data on the juvenile and the charges against him will be reported. A similar call must be made upon discharge of the juvenile. If after five days (the maximum allowed for the jailing of a juvenile) no confirmation of discharge has been logged via the hotline, DPW will call the jail to learn the status of the child. Currently, jails must maintain a log of entries and discharges open to official inspection at any time, but this is usually only checked once every six months during the DPW inspection visits (required twice a year in jails as opposed to the annual inspections for residential facilities). DPW has acquired this inspection responsibility only recently from the Bureau of Corrections. This bureaucratic reshuffling was designed to place tighter restrictions on those jails that can still hold juveniles in an effort to reduce the number of jails allowed to perform this function.

Generally, the Bureau of Corrections and most county jails have been pleased to be rid of responsibility in juvenile matters, since handling children in any capacity makes their normal operations more difficult. In addition, the Juvenile Justice Center of Pennsylvania is currently training citizen volunteers to supplement other monitoring activities on an ongoing basis.

While disputes have not resulted from these realignments of bureaucratic territory, other difficulties are going to come from the practical problems that occur when the regional detention centers completely replace the jails. Past experience shows that juvenile detention centers tend to run at or near capacity, which brings up the problem of what to do with the children when a center becomes full. Normally, jails would have been used but this option will not be available, much to the frustration of county officials. There is also the problem of dealing with particularly "tough" or destructive youth. In the past, such a child would be removed to a jail as a disciplinary measure; now there is going to have to be other means used to deal with this type of problem.

SECTION IV: ENFORCING THE LEGISLATION

Department of Public Welfare

To be effective, a monitoring process should be closely integrated with a system of enforcement. Historically, DPW has not strictly enforced its legal and regulatory responsibilities; however, with the new legislative mandate and stringent regulations, it is possible that the Department will keep close watch and tight control over the facilities under its jurisdiction. DPW has a comprehensive enforcement role because it must keep track of all facilities that hold children. This encompasses a wide variety of institutions and each type of facility is handled in a different manner. State institutions do not represent a major enforcement problem; they are administratively under the control of DPW and can be brought into compliance by administrative order. Private facilities present a more difficult problem.

The DPW has a wide range of enforcement options to bring an offending facility into compliance. The basis of most of these options is the Department's ultimate control over licensing approval and county reimbursements for services provided. If a facility is found in violation, DPW will notify it of the problem and the corrective action needed. When necessary, the Department will send a person to the facility to provide technical assistance to aid the institution's return to compliance. Usually, one or both of the above is sufficient to trigger the desired response from a facility. Neither side, in most circumstances, wishes to become involved in more formal conflict-oriented situations. Should simple notification not result in compliance, DPW can prevent reimbursements for services provided by the institution. This is an important disincentive for a county. If a judge continues to place children despite the financial hardship to the county, DPW can withdraw its licensing approval. This will have severe negative repercussions for the institution. Withdrawal of a facility's license does not legally prevent a judge from committing a child to such an institution, but it will have the same effect. If anything should happen to a child placed in a non-DPW approved facility, it would create serious problems for the judge involved. Thus, withdrawal of licensing approval will effectively shut down a facility's intake. In more serious cases, a cease and desist order can close down an operation, while a flagrant violation of laws and regulations can result in the case being referred to the Pennsylvania Justice Department for litigation. Given the strength of financial disincentives as an enforcement tool, it is reasonable to assume that DPW's enforcement of laws and regulations in the private sector will be effective if vigorously pursued. The fact that a tighter monitoring process is being set up is also going to aid enforcement by making the child care facilities more aware of their regulatory responsibilities and encouraging more thorough self-policing.

The greatest enforcement problem for DPW will be presented by the county jails. County jails are completely funded by local monies. DPW is authorized to reimburse for juveniles until December 1979, but to date no county has tried for such approval. The rigorous

DPW requirements for holding juveniles and relatively small costs of holding juveniles in adult jails has made it easier for the counties just to pay these expenses. The cost of juvenile time in jail is only a small portion of the total county jail budget, so the financial disincentive will not be a controlling factor. This makes the enforcement task more difficult. The 1977 State Plan names three possible enforcement options available to the state in case of county intransigence; legal orders, public service law firm, suspension of Child Welfare and Juvenile Act payments.

1. LEGAL ORDERS: To stop the placement of juveniles in a county jail that did not meet inspection standards or was regularly holding a juvenile beyond five days, an appropriate legal order could be issued through the Office of the Attorney General. The Attorney General has indicated that he will bring the issue of juveniles in county jails to the counties, as "the state's hands are clean" and all of the juveniles are out of the State Correctional Institution at Camp Hill.*
2. PUBLIC SERVICE LAW FIRM: Consideration could be given to the funding of a public service law firm that would act as advocate for inappropriately detained youth. Court actions (either individual or class action suits) could be initiated against a county in violation of the Juvenile Act. Once the legal precedent is established, further violations hopefully would be drastically reduced. Maintenance of the monitoring and inspection function would target those counties in violation of the Act and the appropriate corrective procedures would be operationalized.**

*This action has already been taken.

**On June 5, 1978, the Pennsylvania State Planning Agency gave a grant to the State Justice Department to undertake this work.

3. SUSPENSION OF CHILD WELFARE AND JUVENILE ACT PAYMENTS:

Precedent has already been established (in a case involving noncompliance in Philadelphia detention centers) for suspending all Child Welfare payments.¹⁵

While DPW's enforcement options for jails are not as convenient as those for dealing with the private sector, the potential exists to bring recalcitrant counties into compliance very rapidly.

Another enforcement system which can put funding pressure on county jails and courts is the Juvenile Court Judges Commission. The Commission established codes of conduct for juvenile courts and probation services. Receipt of Commission funds is contingent upon compliance with these regulations. Currently, Juvenile Court Judges Commission monitoring of county court standards is a yearly process. While this system is inadequate as an ongoing monitoring process (because of the time lapse between inspections), it is sufficient to ensure county compliance with legal and regulatory standards related to court activities. Funds can be withheld when violations are detected. As in the case with DPW, however, the most important element in the enforcement process is a good monitoring system to detect irregularities. Corrective action can usually be obtained without heavy handed tactics. Good working relationships between the people involved at both ends often solves problems. In most cases, commission enforcement consists of notifying the court about the violation, which results in a corrective response without disrupting funding procedures.

Conclusion

In a short period of time, the State of Pennsylvania has made significant progress toward modifying its juvenile justice system's practices of handling youth. A firm legislative foundation for action has been laid; in addition, specific administrative regulations have been developed and promulgated. Finally, the state is in the process of expanding its monitoring capabilities and has made it clear that strict enforcement of guidelines will take place. If all continues to proceed as planned, these activities should result in a juvenile justice system which prevents the secure detention of all status offenders and separates juveniles from adults in institutions.

The Pennsylvania experience is instructive because of its replicability. There is little in the legislative history of the relevant acts, the subsequent guidelines, or the final monitoring and enforcement systems which is unique. Other states interested in accomplishing the same ends will observe many similarities.

This obviously is not to say that other states will confront the problems of deinstitutionalizing status offenders and separating delinquents from criminal adults in an identical manner. For example, the inordinate importance of the county government structure in Pennsylvania clearly shows the way in which these tasks have been approached. The bottom line is that the legislative and bureaucratic leadership of this state, without benefit of any indispensable environmental, organizational, or social features or relationships, has designed and begun implementing an exemplary system of dealing with the problem of incarcerated youth.

Commitment is the key. Meeting the requirements of the Juvenile Justice and Delinquency Prevention Act does pose a difficult undertaking for many states. However, as this case study demonstrates, it is not an impossible one. Displaying both a dedication to the philosophical concepts underlying the federal act and a firm resolve to accomplish the objectives of their own legislation, Pennsylvania decision-makers have devised strategies to overcome obstacles in their path.

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APPENDIX: SAMPLE FORMS USED IN PENNSYLVANIA

JUVENILE COURT STATISTICAL CARD

OFFICIAL USE ONLY

A 20107-3

A. COUNTY OF JURISDICTION

B. CHILD'S NAME OR NUMBER

11 (LAST) (FIRST) (MI) 30

C. CHILD'S RESIDENCE

STREET ADDRESS

CITY/TOWN

TOWNSHIP

COUNTY (IF OTHER THAN COUNTY OF JURISDICTION)

STATE

ZIP

D. DATE OF BIRTH

40 MONTH DAY YEAR 45

E. SEX

1-MALE
2-FEMALE

F. RACE

1-WHITE 2-BLACK
3-SPANISH SPEAKING
4-OTHER

G. AGE AT TIME OF REFERRAL

H. DATE OF REFERRAL

50 MONTH DAY YEAR 55

I. REFERRED BY:

1-POLICE 2-SCHOOL 3-PROBATION
4-CNTY. CHILD WELFARE 5-DIST JUSTICE 6-RELATIVE
7-SOCIAL AGENCY 8-OTHER JUV. COURT
9-OTHER

J. PRIOR REFERRALS

(ENTER NUMBER OF PRIOR REFERRALS TO JUVENILE COURT)

K. LAST PRIOR REFERRAL AND REASON

59 1- TO JUVENILE COURT
2- TO CHILD WELFARE

60 61 62

L. CURRENT REASONS REFERRED

63 64
1. 71 72 73 74
3.

67 70
2. 75 76 77 78
4.

USE PA. CRIMES CODE SECTION NUMBERS OR, IF APPLICABLE, CODES SHOWN AT THE RIGHT, FOR REASON'S REFERRED (FOR DRUG OFFENSE CODING) (SEE INSTRUCTIONS)

OFFENSES APPLICABLE TO JUVENILES

0033 - NON-PAYMENT OF FINES & COSTS
0034 - UNGOVERNABLE BEHAVIOR
0035 - RUNAWAY FROM
0036 - UNDERAGE DRINKING
0037 - CURFEW VIOLATION
0038 - OTHER (SPECIFY)

TRAFFIC OFFENSES

0041 - DRIVING WHILE INTOXICATED
0042 - HIT AND RUN (BODILY INJURY)
0043 - HIT AND RUN (PROPERTY DAMAGE ONLY)
0044 - HIT AND RUN (BOTH BODILY INJURY AND PROPERTY DAMAGE)
0045 - DRIVING WITHOUT A LICENSE (2ND OFFENSE)
0046 - OTHER TRAFFIC (MISDEMEANOR)

PROBATION VIOLATION

0051 - PROBATION REVOCATION (TECHNICAL)
0052 - PROBATION REVOCATION (NEW CHARGE)

DEPRIVE

0053 - TRUANT
0054 - OTHER DEPRIVED

END OF CARD 1

OFFICIAL USE ONLY
A 20107-3

M. CARE

1 PLACE OF CARE
JAIL/LOCAL LOCK-UP
2 SHELTER FACILITY
3 DETENTION HOME
4 FOSTER HOME
5 OTHER (SPECIFY)

CARE PRIOR TO DISPOSITION (NO. DAYS)

9 10
14 15
16 20
24 25
26 30

CARE FROM DISPOSITION TO PLACEMENT (NO. DAYS)

11 12
16 17
21 22
26 27
31 32

NO ENTRY INDICATES NO CARE GIVEN

N. MANNER OF HANDLING

33 1-INFORMAL ADJUSTMENT
2-CONSENT DECREE
3-ADJUDICATION HEARING

P. DIAGNOSTIC EVALUATION COMPLETED (1-YES, 2-NO)

35 36
1 PSYCHIATRIC
2 PSYCHOLOGICAL
3 MEDICAL
4 SOCIAL

O. HEARING CONDUCTED BY:

34 1-JUDGE 3-BOTH
2-MASTER

Q. ATTORNEY REPRESENTATION

43 1-COURT APPOINTED 2-PRIVATE
3-PUBLIC DEFENDER 4-WAIVED

R. OFFENSES SUBSTANTIATED AT ADJUDICATION

44 47
1. 48 49 50
2. 51 52 53
3. 54 55 56
4. 57 58 59

USE SAME OFFENSE CODING STRUCTURES AS IN AREAS E, F, & L ABOVE

S. DATE OF ADJUDICATION

60 MONTH DAY YEAR 65

T. DATE OF DISPOSITION

66 MONTH DAY YEAR 71

U. DISPOSITION

72 73 74
1 END OF CARD
2

G = GROUP HOME
F = FOSTER HOME
C = NON-RESIDENTIAL COMMUNITY BASED FACILITY

NO TRANSFER OF LEGAL CUSTODY

01 - WAIVED TO CRIMINAL COURT
02 - DISMISSED, NOT PROVED OR FOUND NOT INVOLVED
03 - WITHDRAWN
04 - TRANSFER TO OTHER JUVENILE COURT
05 - DISMISSED, WARNED, ADJUSTED, COUNSELED
06 - HELD OPEN WITHOUT FURTHER ACTION; CONTINUED
07 - PROBATION OFFICER TO SUPERVISE
08 - INTENSIVE PROBATION
09 - REFERRED TO ANOTHER AGENCY OR INDIVIDUAL
10 - FINES AND COST PAID
11 - RUNAWAY RETURNED TO

PUBLIC INSTITUTIONS FOR DELINQUENTS

20 - CORNWELL HEIGHTS Y.D.C.
21 - CORNWELL HEIGHTS SECURITY UNIT
22 - LOYSVILLE Y.D.C.
23 - NEW CASTLE Y.D.C.
24 - NEW CASTLE SECURITY UNIT
25 - PHILADELPHIA Y.D.C.
26 - PHILA. DAY TREATMENT CENTER
27 - WARRENDALE Y.D.C.
28 - WAYNESBURG Y.D.C.
29 - YOUTH FORESTRY CAMP NO. 1 (RACCOON CREEK)
30 - YOUTH FORESTRY CAMP NO. 2 (HICKORY RUN)
31 - YOUTH FORESTRY CAMP NO. 3 (TROUGH CREEK)
32 - OTHER PUBLIC INSTITUTIONS FOR DELINQUENTS (SPECIFY)

PRIVATE INSTITUTIONS FOR DELINQUENTS

40 - GLEN MILLS SCHOOLS
41 - SLEIGHTON FARMS
42 - GANNONDALE SCHOOL FOR GIRLS
43 - GOOD SHEPHERD SISTERS DISCOVERY
44 - NEW LIFE BOY'S RANCH, INC.
45 - GEORGE JR. REPUBLIC IN PA.
46 - SAINT GABRIEL'S HALL
47 - GILMARTY SCHOOL FOR GIRLS
48 - LOURDES MONT SCHOOL
49 - OTHER PRIVATE INSTITUTIONS FOR DELINQUENTS (SPECIFY)

OTHER COMMITMENT OR COURT-ORDERED CARE

60 - MENTAL HEALTH INSTITUTION
61 - SCHOOL FOR RETARDED
62 - INDIVIDUAL
63 - OTHER PRIVATE INSTITUTION FOR NON-DELINQUENTS
64 - GROUP HOME WITH PROBATION
65 - GROUP HOME WITHOUT PROBATION
66 - FOSTER HOME WITH PROBATION
67 - FOSTER HOME WITHOUT PROBATION
68 - OTHER NON-RESIDENTIAL PUBLIC AGENCY
69 - OTHER NON-RESIDENTIAL PRIVATE AGENCY
70 - DRUG AND ALCOHOL FACILITY
71 - OTHER (SPECIFY)

12 - OTHER (SPECIFY)

ADDITIONAL COMMENTS

PROBATION OFFICE COPY

NAME OF PERSON COMPLETING THIS FORM

INSTRUCTIONS FOR COMPLETION OF FRONT

Form is designed for handwritten, or typewritten entries (10 pitch, 6th throw); margin and tab stops are indicated for ease of typing.

On all numerals 1 thru 9 enter the number in the last box provided - preceeded by 0's.

Example: January 3rd, 1976 would read as follows:

0	1	0	3	7	6
---	---	---	---	---	---

ONLY AFTER FINAL DISPOSITION - FORWARD PART TWO OF THIS FORM TO:

JUVENILE COURT JUDGES COMMISSION
SUITE 100, TOWNE HOUSE APARTMENT
660 BOAS STREET
HARRISBURG, PA. 17102

- Item A - Enter name of County of Jurisdiction.
- Item B - Enter child's name, - last name first, then first name and initial. If child has a number, enter his number.
- Item C - Enter street address, city or boro, township, county, state and zip code.
- Item D - Enter child's date of birth - - month, day and year, as shown.
- Item E - Enter in box - 1 for male, 2 for female.
- Item F - Enter number that applies in box provided.
- Item G - Enter age at time of court intake.
- Item H - Enter date at time of court intake.
- Item I - Enter number that applies in box provided.
- Item J - Enter number of prior referrals to Juvenile Court. If more than 9-enter a 9.
- Item K - If no prior referrals, leave K blank. If there were prior referrals, identify as Juvenile Court or Child Welfare in box 58. Enter appropriate code for reason referred in boxes 59 thru 62.
- Item L - Enter codes for current - most serious - reasons referred, up to a maximum of four.
- Item M - Indicate number of days for all places of care.
- Item N - Enter number that applies in box provided.
- Item O - Enter number that applies in box provided. Check BOTH only when Adjudicatory hearing is held by Master and Dispositional hearing is held by Judge.
- Item P - Enter number(s) that apply in appropriate box(s); 1 for Yes or 2 for No.
- Item Q - Enter number that applies in box provided.
- Item R - Enter codes for four most serious offenses substantiated at adjudication.
- Item S - Enter date adjudicated.
- Item T - Enter date case is disposed of - enter month, day and year as shown.
- Item U - In boxes 72 and 73 enter number that applies. Box 74 is to be used only when a child is sent to a Group Home, Foster Home, or Non-Residential Community Based Facility that is attached to a parent - Public or Private institution.
- EXAMPLE: Loysville Y.D.C. - Group Home - - enter 22-G in boxes provided.

YOUTH FACT SHEET

1. IDENTIFICATION NUMBER

--	--	--	--	--	--

A. IDENTIFICATION

2. NAME			(Last)	(First)	(Middle)	4. BEST ESTIMATE OF NUMBER OF TIMES YOUTH HAS BEEN COMMITTED TO INSTITUTIONS FOR DELINQUENTS. (If no record available enter 99)
3. MOST RECENT ADDRESS						
Street						
City		State		Zip		
5. DATE OF BIRTH			6. SEX		7. RACE	
M	D	Y	☐ M-Male ☐ F-Female		☐ 1. White ☐ 2. Black ☐ 3. Hispanic ☐ 4. Other	
8. NUMBER OF PREVIOUS TIMES IN MENTAL HEALTH INPATIENT FACILITIES						(If no record available enter 99)

B. COMMITMENT INFORMATION

9. CASE ORIGIN ☐ 1. Court Commitment ☐ 2. Other ☐ 3. Crisis ☐ 4. County Child Welfare ☐ 5. District Justice ☐ 6. Relative ☐ 7. Social Agency ☐ 8. Other Juvenile Court ☐ 9. Other ☐ 10. Unknown				10. COMMITTING COUNTY (Refer to Manual for Codes) 			
11. IS COMMITTING COUNTY THE SAME COUNTY WHERE ADJUDICATION TOOK PLACE? ☐ Y - Yes ☐ N - No 12. NAME OF COMMITTING JUDGE (Last) (First) (M.I.)							
13. REFERRED TO COURT BY: ☐ 1. Police ☐ 2. School ☐ 3. Probation ☐ 4. County Child Welfare ☐ 5. District Justice ☐ 6. Relative ☐ 7. Social Agency ☐ 8. Other Juvenile Court ☐ 9. Other ☐ 10. Unknown							
14. CURRENT OFFENSES FOR WHICH ADJUDICATED (Refer to Manual for Codes) 							
15. ARE THERE ANY MORE OFFENSES ON WHICH YOU HAVE TO GET INFORMATION IN ORDER TO VERIFY? ☐ Y - Yes ☐ N - No							
16. PRIOR OFFENSES FOR WHICH ADJUDICATED (Refer to Manual for Codes) 							
17. ARE THERE ANY MORE OFFENSES FOR ITEM NO. 15 FOR WHICH YOU HAVE TO OBTAIN INFORMATION? ☐ Y - Yes ☐ N - No							

C. PLACEMENT INFORMATION

18. DATE OF ARRIVAL AT PLACEMENT			19. PLACEMENT CODE						20. PLACEMENT NAME									
M D Y			(Refer to Manual for Codes)															

YOUTH ACTIVITY SHEET

1. IDENTIFICATION NO.

A. IDENTIFICATION

2. NAME			(Last)	(First)	(Middle)
3. MOST RECENT ADDRESS					4. DATE OF BIRTH
Street					M D Y
City		State		Zip	

B. YOUTH ACTIVITY

5. TYPE OF YOUTH ACTIVITY	
01 - Runaway 02 - Runaway returned 03 - Arrest - New Offense 04 - Arrest - Charges Dropped 05 - Serious injury to this youth as result of unacceptable behavior which was initiated by this youth 06 - Serious injury to this youth as result of unacceptable behavior which was initiated by another youth	07 - Serious injury to youth as result of accident 08 - Serious injury to staff by youth 09 - Death of individual youth 10 - Youth returned to community (includes extended leave to community) 11 - Youth AWOL more than 30 days 12 - Youth Transferred (complete Item No. 7 - Transfer Information) 15 - Youth returned from extended leave to community
6. DATE OF YOUTH ACTIVITY	7. TRANSFER INFORMATION
M D Y	Place Transferred to:
	Code Placement Name

C. YOUTH PLANS FOR HEARINGS - INITIATION

8. YOUTH PLAN INITIATION	9. DATE PLAN SENT
13. Plan sent to court for placement transfer 14. Plan sent to court for release	M D Y

D. YOUTH PLANS FOR HEARING - COURT RESPONSE

10. RESPONSE FROM COURT TO PLAN IS		11. DATE OF COURT RESPONSE TO PLAN
Y - Positive N - Negative		M D Y
12. DATE OF HEARING (If there is to be a hearing)	13. COURT ORDER FOR RELEASE/TRANSFER RECEIVED BY PLACEMENT	14. DATE OF COURT ORDER
M D Y	Y - Yes N - No	M D Y

PW 507 - 9-78

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE FOR CHILDREN AND YOUTH

CY 28-I - 12-72

ANNUAL STATISTICAL REPORT
PUBLIC AND VOLUNTARY CHILD CARING INSTITUTIONS
(Please Read Instructions)

Name of
Institution _____ Capacity _____

Address _____
(Street and Number) (City or Town) (County)

I. CHILDREN RECEIVING SERVICE DURING YEAR

- A. Children receiving service as of January 1, 19____
B. Children admitted during year - Total (1 + 2, below)
 1. Children not previously admitted during year
 2. Children previously admitted during year
C. Total children receiving service during year (A + B)
D. Children discharged during year
E. Children receiving service as of December 31, 19____ (C - D)
 1. Elsewhere (specify on reverse)
 a. In your institution
 b. Elsewhere (specify on reverse)
 2. From other agency or institution

II. SOURCE OF REQUESTS FOR SERVICE FOR CHILDREN FOR WHOM SERVICE WAS INITIATED DURING YEAR - TOTAL (Same as I. B.)

- A. Source of Referral:
 1. Juvenile Court
 2. Police Departments
 3. County or County Institution Districts
 4. Public Assistance
 5. Other health and welfare organizations
 6. Schools
 7. Parents or relatives
 8. Physicians, attorneys, or clergymen
 9. Neighbors and other citizens
 10. All other sources

B. Classify the number of children included in the above total in II.
 as follows:
 1. Court committed as dependent or neglected
 2. Court committed as delinquent
 3. Not court committed

III. DISPOSITION OF CHILDREN FOR WHOM SERVICE WAS TERMINATED DURING YEAR - TOTAL (Same as I. D.)

- A. Returned from placement to parents, relatives, or
 other individuals
B. Legally adopted
C. Placed on own responsibility
D. Deaths
E. Referred to child caring agencies or institutions
 for dependent or neglected children
F. Referred to child caring agencies or institutions
 for delinquent children
G. Referred to Juvenile Court
H. Referred to other health and welfare organizations
I. Others

A. By Age Group:

B. By Race:

DECEMBER 31, 19 (Same as I.E.I.) - Total

IV. LENGTH OF TIME IN CONTINUOUS PLACEMENT OF CHILDREN UNDER YOUR SUPERVISION
AS OF DECEMBER 31, 19 (Same as I.E.1.)

56

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE FOR CHILDREN AND YOUTH

INSTRUCTIONS FOR PREPARATION
OF ANNUAL STATISTICAL REPORT

FOR PUBLIC AND VOLUNTARY CHILD CARING INSTITUTIONS (CY 28-I - 12-72)

I. CHILDREN RECEIVING SERVICE DURING YEAR

This section is a report on the movement of population of all children receiving service during the year.

- A. Children receiving service as of January 1. The number of children reported here must be the same as the number reported in item I.E. of the previous year's report, as under care December 31 of last year.
- B. Children admitted during year. Enter here the number of children admitted to your institution during the year. This will be the total of 1 and 2, below. Consider as "admissions" only those situations involving children who were moved out of intake and accepted for institutional care or other continuing services. Include both children accepted for direct care and service and children for whom service was purchased from other agencies. Do not include children who received only referral services, and children for whom the only service initiated was an investigation or study for another social agency or Orphans' Court.
 1. Children not previously admitted during year. This will be a count of the different children admitted to your institution during the year. Each child accepted for care during the year is to be counted here only the first time he is accepted. (This count, added to the number receiving service at the beginning of the year, will give an unduplicated count of the different children cared for during the year.)
 2. Children previously admitted during year. This will be a count of the subsequent times children were admitted during the year. For example, a child who is admitted or accepted three times during the year will be counted once (the first acceptance) in 1, above, and twice (2nd and 3rd acceptances) in 2.
- C. Total children receiving services during year. This will be the total of A and B, above. This is not a count of different children, since it includes children accepted for care more than once during the year.
- D. Children discharged during year. Enter here the total number of children for whom all services from your institution were terminated by discharge or death during the year. Do not consider as terminated children discharged from the institution but who are receiving some follow-up service from the staff of the institution.
- E. Children receiving service as of December 31. This will be C minus D and should account for all children receiving service from your institution as of the end of the year. It will also be the sum of 1 and 2, following.

1. Under your supervision - The number of children reported in this item should be only those under the direct, exclusive care or supervision of your institution and who will not be reported by any other child caring agency or institution as receiving direct care in its annual report. The number reported here will be the sum of a. and b., following.
 - a. In your institution - Report here the number of children in your institution as of December 31. Include those on holiday leave.
 - b. Elsewhere - Report here the number of children under your direct care or supervision who are absent from the institution for such reasons as hospitalization, runaway, etc.
2. From other agency or institution - Report here those children for whom care is being purchased from or provided by another child caring agency or institution, but for whom your institution has some continuing responsibility.

II. SOURCE OF REQUESTS FOR SERVICE FOR CHILDREN FOR WHOM SERVICE WAS INITIATED DURING YEAR - TOTAL (Same as I. B.)

Enter the number of children accepted for service from all sources during the year. This figure should be the same as I. B. and should also be the total of items 1 through 10.

A. Source of Referral

There must be reported only one source of referral for each child. If more than one source is involved, select that source which was the most active, responsible, and decisive in referral. If a child was referred for care more than once during the year, select the source applicable for each referral.

1. Juvenile Court. Report all children for whom an employee or official of the Juvenile Court was the source of contact or referral, whether or not the children were court committed to your institution. Do not include children who were court committed to your institution but the Juvenile court was not the original source of referral.
2. Police Departments. Report all children for whom the source of referral or contact was local and State police departments, or other law enforcement agencies.
3. County or County Institution District. Report all children for whom the source of referral was the County, the County Institution District, or the county child welfare agency. Note: The care of the child may be paid for by County or County Institution District funds without this agency being the source of referral.
4. Public Assistance. Report all children referred for service by County Boards of Assistance.
5. Other health and welfare organizations. Report all children referred by other health and welfare services such as social agencies or institutions, health agencies or institution, hospital, clinics, etc.

6. Schools. Report all children referred by school administrators, school nurses, teachers, etc.
7. Parents or relatives. Report all children for whom the source of referral was directly from parents or relatives.
8. Physicians, attorneys or clergymen. Report all children referred by physicians, attorneys or clergymen.
9. Neighbors and other citizens. Report here all children referred by neighbors and other citizens.
10. All other sources. Report all children referred by sources other than the above, such as churches, fraternal organizations, etc.

B. Classify the number of children included in the above total in II, as follows:

The sum of items 1, 2, and 3, should equal the total in II.

1. Court committed as dependent or neglected. Report all children accepted for service who were committed to your institution under court order as dependent or neglected children regardless of the source of referral.
2. Court committed as delinquent. Report all children accepted for service who were committed to your institution under court order as delinquent children regardless of the source of referral.
3. Not court committed. Report all children accepted for service by your institution during the year who were not court committed either as dependent, neglected, or delinquent.

III. DISPOSITION OF CHILDREN FOR WHOM SERVICE WAS TERMINATED DURING YEAR - TOTAL (Same as I. D.)

Enter the total number of children for whom all service from your institution was terminated during the year. The total should be the same as I. D. and should also be the sum of items A. through I.

- A. Returned from placement to parents, relatives, or other individuals. Report all children who had been in care in your institution and who were returned to the care of parents, relatives, or other individuals.
- B. Legally adopted. Report all children discharged from care of your institution because of issuance of a completed adoption decree.
- C. Placed on own responsibility. Report children who at the time of discharge were self-supporting, unsupervised, married, or a member of the Armed Forces. This will include children discharged at age 21.
- D. Deaths. Self-explanatory.
- E. Referred to child caring agencies or institutions for dependent or neglected children. Report all children discharged by your institution to child caring agencies or institutions serving primarily dependent neglected children.

- F. Referred to child caring agencies or institutions for delinquent children. Report all children discharged to training schools or agencies other than juvenile courts, which serve primarily delinquent children.
- G. Referred to juvenile courts. Report all children discharged by your institution to juvenile courts for planning, supervision or other disposition.
- H. Referred to other health and welfare organizations. Report all children discharged by your agency to other health and welfare agencies and institutions not included in items F. or G. above.
- I. Others. Report all discharged children not included in the above, including dropped absconders.

IV. AGE AND RACE OF CHILDREN UNDER YOUR SUPERVISION AS OF DECEMBER 31
(Same as I. E. 1.)

- A. Classify the children reported in I. E. 1. by the specified age groups.
- B. Classify the children reported in I. E. 1. by race.

V. COUNTY OF RESIDENCE OF CHILDREN UNDER YOUR SUPERVISION AS OF DECEMBER 31.
(Same as I. E. 1.)

The number of children reported in this section should be the same as the number reported under your supervision in I. E. 1. List each county in Pennsylvania from which you have children under your supervision. Opposite each county show the number of children from that county. If the county of residence is unknown, write "Unknown" on one of the lines and indicate the number of children.

For purposes of this report, the child's residence should be considered to be that of his responsible parent or guardian, even though this person may not be the one actually making board payments. If children were accepted from outside Pennsylvania, list the states given as residence of children in care under "County or State" and show the number of children in each case under "number of children." If children were accepted from the States of Delaware, Indiana, Washington, or Wyoming, circle to show that these are states, not counties.

VI. LENGTH OF TIME IN CONTINUOUS PLACEMENT OF CHILDREN UNDER YOUR SUPERVISION AS OF DECEMBER 31. (Same as I. E. 1.)

This is intended to reflect the length of time children under the supervision of your institution, namely, those reported in I. E. 1., have been continuously in your care as of December 31, whether they are in their first placement or have had several placements. We are anxious to secure data on how long children reported in foster homes and institutions have been continuously away from their families as of December 31st. Ignore home visits whether on a so-called trial basis or for short vacations, if either of these were for less than one month.